

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

YANG CHIA TIEN,

Defendant.

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GLASSER, United States District Judge:

On November 17, 2014, Murray E. Singer, Esq., was appointed pursuant to the Criminal Justice Act (CJA) to represent the defendant. He was substituted for Margaret H. Shalley, Esq., who was relieved for reasons that were reflected on the record.

On November 21, 2014, the defendant, *pro se*, filed a motion, DE 42, requesting “Delivery Evidence and Discover Information for Due Process pending case.”

On November 24, 2014, the defendant, *pro se*, filed a motion, DE 43, requesting the Court “to issue an ORDER for medical relief at MDC Brooklyn for pending case.”

On the day of Mr. Singer’s appointment, the defendant, purporting to make motions orally, was advised that self representation and representation by counsel cannot both be exercised at the same time. United States v. Mitchell, 137 F.2d 1006, 1010 (2d Cir. 1943); United States v. Purnett, 910 F.2d 51, 54 (2d Cir. 1990); Woodard v. Mennella, 861 F. Supp. 192, 198 (E.D.N.Y. 1994). The defendant obviously chose to ignore that admonition.

His motions, filed on ECF, have presumptively come to the attention of his attorney who, the Court is confident, will proceed accordingly.

SO ORDERED.

Dated: Brooklyn, New York
January 5, 2015

CORRECTED
MEMORANDUM AND ORDER
10 CR 404 (ILG)

s/
I. Leo Glasser